A STUDY OF THE PUD – PLANNED UNIT DEVELOPMENT ZONING ON ROCHDALE BOULEVARD

JUNE 1985 CITY OF REGINA PLANNING DEPARTMENT

A STUDY OF THE

PUD - PLANNED UNIT DEVELOPMENT

ZONING ON ROCHDALE BOULEVARD

Date of First Publication: December 1984

Date of Last Revision: June 1985

City of Regina

Planning Department

P.O. Box 1790

Regina, Saskatchewan

Phone (306) 569-7551

TABLE OF CONTENTS

1.0	Introduction	1
2.0	Study Methodology	3
3.0	The Original Purpose and Structure of the Mainstreet Concept	4
4.0	Appropriateness of the Existing PUD Zoning for the Remaining Vacant Parcels	7
5.0	Advantages and Disadvantages of Alternative Land Use Control Mechanisms	10
	5.1 Direct Control Districts (DCD)	10
	5.2 Contract Zoning	11
	5.3 Conventional Zoning	12
6.0	Discussions with Property Owners and the Sherwood Estates Community Association	16
	6.1 Meeting with the Community Association	16
	6.2 Meeting with the Property Owners	17
	6.3 Analysis of the Community Association/Property Owners Concerns	17
7.0	Recommendations	20
	7.1 Proposed New Zoning District	20
	7.2 MS - Mainstreet Zone	20
	7.3 Permitted Uses	20
	7.4 Discretionary Uses	21
	7.5 Regulations	23
	7.6 Development Standards	25

Appendices

i.	Appendix 1 - LC Local Commercial Zone	29
ii.	Appendix 2 - R6 - Residential Suburban Multiple Housing	30

A REVIEW OF THE PLANNED UNIT DEVELOPMENT ZONING ON THE REMAINING UNDEVELOPED PARCELS ALONG ROCHDALE BOULEVARD

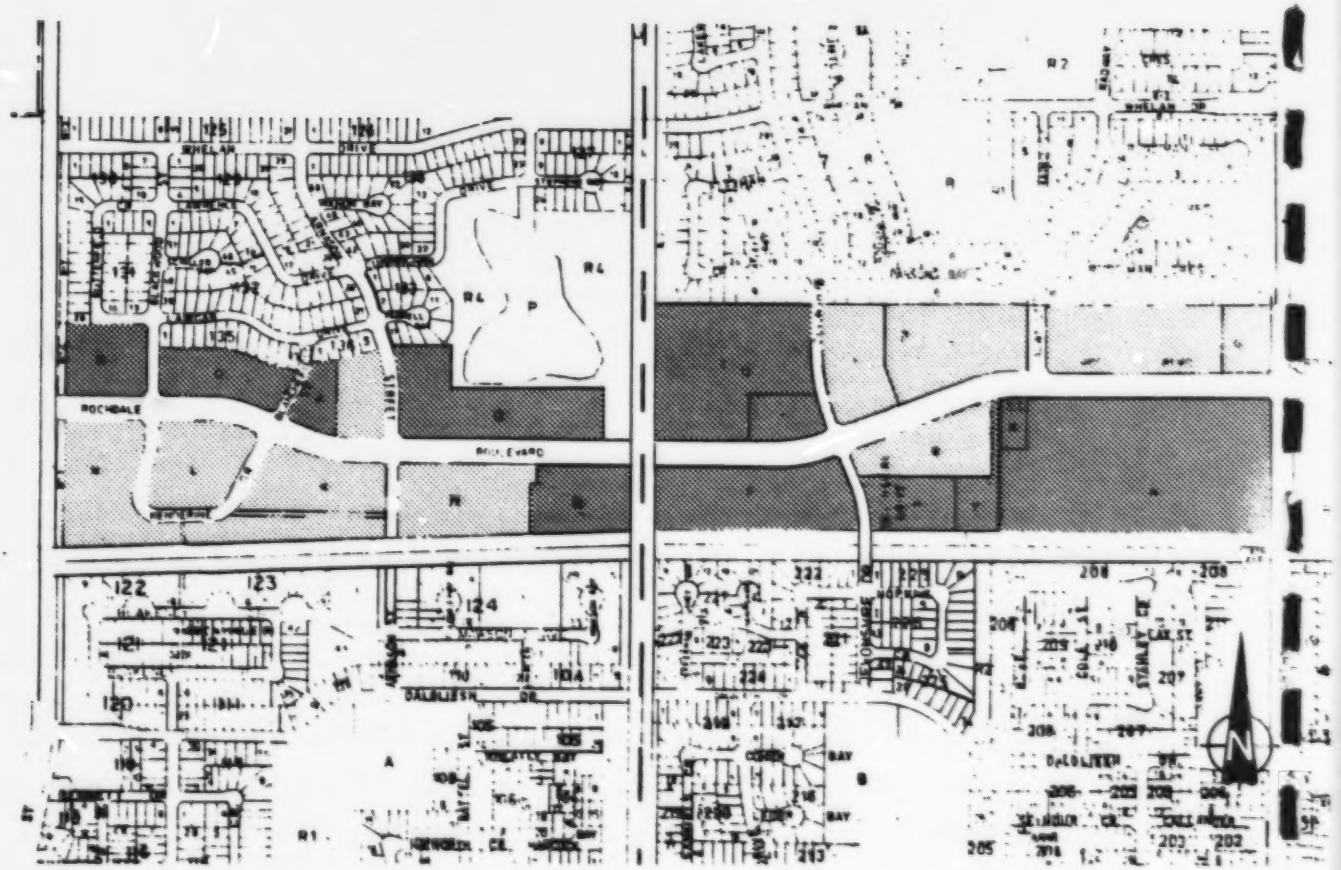
1.0 Introduction

During the past years, City Council has been concerned with the development of the remaining vacant lands along Rochdale Boulevard in the Northwest Sector (Map 1). The major area of concern has focused on the existing PUD - Planned Unit Development zoning of these lands and the lack of a clearly defined list of uses and specific criteria by which development proposals could be evaluated.

As a result of these concerns, Council directed the Planning Department on May 28, 1984, to undertake a study of the feasibility of rezoning all remaining undeveloped parcels along Rochdale Boulevard to reflect residential and/or commercial uses appropriate to serve adjacent neighbourhood needs. While the study was being conducted, the R6 - Residential Suburban Detached, I - Institutional, and the proposed LC1 - Local Commercial Zones were to be used as an interim mechanism for evaluating development proposals for the remaining vacant parcels on Rochdale Boulevard. These guidelines were in addition to the interim development controls placed on grocery, confectionary and retail stores on October 11, 1983 as part of the Neighbourhood Commercial Study.

The Planning Department conducted the Mainstreet zoning study between

DEVELOPED / VACANT LAND



LEGEND:

DEVELOPED LAND

VACANT LAND

MAP

August and October 1984. The work program was based on the following objectives which were established by the terms of reference for the study:

1) To analyze the original purpose and structure of the Mainstreet concept with regard to its status as a street containing a mix of high density residential, institutional, and neighbourhood-oriented, commercial uses as outlined in the Mainstreet Design Guidelines.

2) To review the appropriateness of the existing PUD - Planned Unit Development zoning of the remaining vacant parcels along Rochdale Boulevard.

3) To determine the needs and interests of property owners and residents in the Rochdale Boulevard area with respect to the future development of the street.

4) To consider the advantages and disadvantages of alternative land use control and zoning mechanisms which could be employed to regulate development along Rochdale Boulevard.

5) To recommend appropriate zoning and policy amendments to implement a new land use control mechanism for the area.

These objectives have been utilized in the report format as general chapter divisions in the report.

2.0 Study Methodology

Following the determination of the goals and objectives of the study, a field survey was conducted of existing land use on Rochdale Boulevard. Developed and vacant parcels were inventoried and mapped. Where appropriate, other city departments were contacted for their input into the study. Discussions on the future of Rochdale Boulevard were also held with the property owners along the street and the community association for the area.

In evaluating the appropriateness of the existing PUD zoning, the policies of the Northwest Sector Concept Plan, Phase I Outline Plan, and the Mainstreet Design Guidelines were examined. The final policy and zoning recommendations of the study were based on an evaluation of the advantages and disadvantages of alternative land use control and zoning mechanisms which could have potentially been appropriate for Rochdale Boulevard.

3.0 The Original Purpose and Structure of the Mainstreet Concept

The Mainstreet Concept was embodied in the Northwest Sector Concept Plan, approved by Council in 1977 as the blueprint for some 2,500 acres of land in the northwest portion of the city. The concept plan envisaged a pre-planned residential environment which would accommodate between 45,000 to 50,000 people. The plan was to be based on two basic precepts. First, the Northwest Sector was to be developed as an integrated community within the city, yet with its own residential identity and character designed to serve a full range of local social needs. Second, residential densities were to be increased to use land more efficiently and make housing and community services more affordable.

A unique character and identity for the Northwest Sector was to be achieved by the concept of a "Mainstreet", the central east-west spine and community focus of the entire sector. According to the Northwest Sector Concept Plan, Mainstreet would:

> . . . accommodate local shopping and commercial services, high schools, branch libraries, a recreational and cultural centre, day care centres, and nodes of higher density residential development (p 8).

Furthermore, the retail and office development was to be located only on Mainstreet and nowhere else in the Northwest Sector. Mainstreet was seen as

Rochdale Boulevard between McCarthy Boulevard and Courtney Street. Whether the Mainstreet Concept should be expanded beyond its present boundaries will be dealt with in an upcoming review of the Northwest Sector Concept Plan.

From the various documents which make reference to the Mainstreet concept (Northwest Sector Concept Plan, Phase I Outline Plan, and the Mainstreet Design Guidelines), it would appear that the original intention was to have neighbourhood-oriented commercial and community facilities along Rochdale Boulevard. At the same time, the facilities to be provided were also intended to serve a much larger area than one neighbourhood. In fact, the Northwest Sector encompasses a series of 12 neighborhoods which, as noted above, would serve an ultimate population of at least 45,000 people. Thus the intensity of non-residential development envisaged for Rochdale Boulevard was clearly beyond the purely local services provided in a conventional NC - Neighbourhood Commercial Zoning, or its replacement, LC - Local Commercial.

The objectives of the concept plan were to be accomplished through a flexible development approval process available under the Planned Unit Development regulations. PUD facilitated the mixing of uses and more flexibility regarding conventional zoning regulations in return for greater control over site design standards and facade and landscape treatments. In order to provide a set of standards for future development, the Mainstreet Design Guidelines were prepared in 1980. The main focus of the Guidelines was on site design with only very general references being made to the actual land use types which would locate along the street. The subsequent uncertainty and controversy over various uses proposed for development perhaps could have been avoided if more attention had been addressed to this issue at the time the Guidelines were prepared.

Rochdale Boulevard's linear "Mainstreet" character was to be achieved by a unified streetscape design in which building forms and facade treatments would be in harmony throughout the length of the roadway. The conceptual plan incorporated a strong pedestrian orientation as buildings were to be located along the street frontage with parking accommodated in the rear. It would appear that the plan hoped to create the atmosphere of a small town mainstreet or similar to 13th Avenue west of Albert Street where most community facilities are within walking distance of a large percentage of the adjacent residents. Considering the suburban location of the Northwest Sector and the almost complete dependence on the automobile as the principal means of transportation, perhaps the concept of a pedestrian oriented street could never be fully realized. Yet the concept was invaluable in creating an atmosphere in which the existing suburban development patterns could be questioned and an attempt made to improve the quality of the urban environment for the future residents of the Northwest Sector.

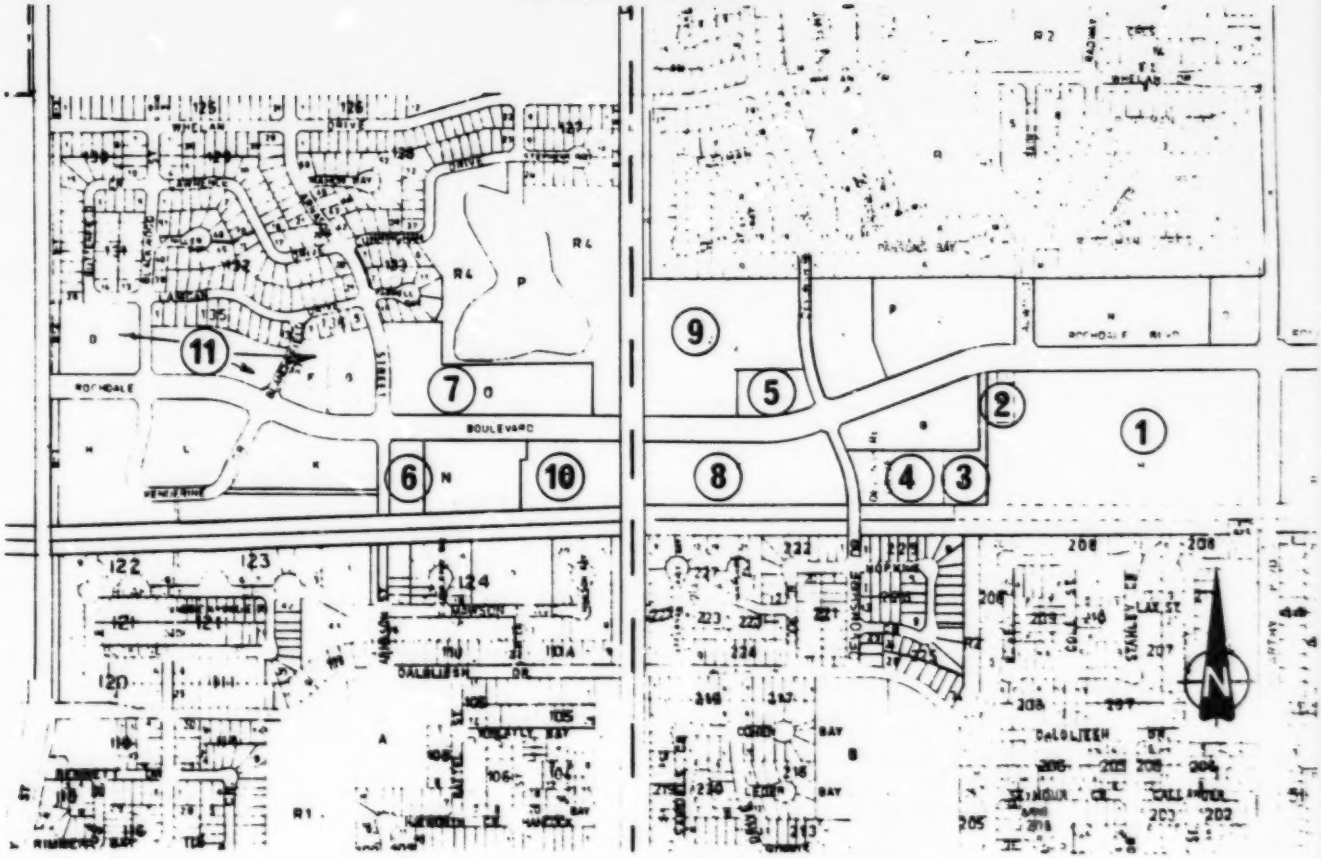
4.0 Appropriateness of the Existing PUD Zoning for the Remaining Vacant Parcels

In 1977, the City of Regina rezoned some 500 acres of land in phase one of the Northwest Sector to PUD on the basis of master agreements with Cairns Homes Ltd. and Sask. Housing Corporation, the two land owners in the area. These agreements provided only limited reference to the type of development which could actually proceed on the lands. Although the Phase I Outline Plan attached to the agreements was somewhat more specific concerning land use, it proved not to be a guiding force for development as market considerations set aside the major thrust of this document, which promoted increased suburban residential densities. With regard to Rochdale Boulevard, it has already been noted that the Mainstreet Design Guidelines provided only a very general indication of the types of uses desired on the street.

The first project approved under the Guidelines was the Sherwood Village Mall. This mall, at approximately 180,000 square feet was clearly beyond the size of a local shopping centre in a single neighbourhood. Yet the mall was not of such a scale to make it a city-wide attraction like a regional shopping centre (i.e. Northgate Mall). The design, facade treatment and landscaping of the site were all negotiated as part of the PUD process in keeping with the spirit of the Guidelines. While a limited amount of parking was allowed in front of the mall along Rochdale Boulevard, most of it was located at the rear.

Other developments quickly followed including a roller skating rink (now a bingo hall), a medical clinic, a community recreation centre, a branch library, and various multiple housing projects (Map 2). Most of these projects were approved before the adjacent detached dwelling neighbourhoods,

LAND USE



NON-RESIDENTIAL

1. Sherwood Village Mall

a) Retail Stores
b) Personal Service Establishments
c) Convenience Store
d) Grocery Store
e) Bank and Financial Institution
f) Restaurant (Licensed)
g) Fast Food Outlets
h) Offices
i) Electronic Game Establishment
j) Gas Bar

2. Public Library

3. Rochdale Mall

a) Medical Clinic
b) Billiard Hall
c) Restaurant
d) Personal Service Establishment

4. Bingo Hall

5. Shopping Centre (under construction)

a) Convenience Store/Gas Bar
b) Restaurant
c) Bank
d) Two Retail Units

6. Approved Convenience Store/Gas Bar
Car Wash

7. Northwest Leisure Centre

RESIDENTIAL

8. 121 units
9. 171 units
10. 72 units
11. 129 units

MAP 2

especially to the north, were fully developed. Thus community input was not of major concern at the time. Since the detached dwelling neighbourhoods on both sides of Rochdale Boulevard are now mostly completed, the concerns of the community, not originally included in the approval process, have been increasingly important. These concerns have increased the complexity of the land use decisions which must be made as each new development has been proposed for approval as a PUD project.

In fact, it became increasingly difficult to reconcile the PUD procedure and policies of the Guidelines with the needs of the developer, the concerns of the community, and the direction of Council. Compounding the problem was the lack of an urban design review committee envisaged in the Guidelines to provide major input into land use and design on Rochdale Boulevard. PUD was not without its advantages, however, as a higher quality of site design and landscaping treatment has been achieved under the regulations which have set a standard for subsequent development.

It was perhaps not the original intention of the PUD legislation to create uncertainty regarding land use since PUD was meant to be applied to a parcel of land only after it was apparent that an innovative type of project which was considered to be of particular public benefit could not be developed under conventional zoning regulations. In the case of Rochdale Boulevard, the properties were first zoned PUD and only then were projects subsequently proposed for development based on the Guidelines. Since approval in principle for the PUD zoning had been granted in 1977, the necessary public participation requirements had been compiled prior to any residents moving into the area. However, as no provision remained for public input, it had to be added to the approval process as each project was considered for a development permit.

The deletion of PUD from the new Planning and Development Act should not affect the existing PUD zoning of Rochdale Boulevard since, as noted above, approval in principle for Phase I of the Northwest Sector as a PUD project had already been granted. However, two appeal cases presently being considered by the Provincial Planning Appeals Board have brought even the validity of the approved in principle into question. The possibility even exists that the PUD zoning could be deemed to be invalid, necessitating the immediate establishment of a new zoning classification to regulate future development. Even if the validity of PUD is upheld, the continuing uncertainty and controversy associated with PUD could perhaps be best overcome by an alternative type of land use control mechanism. Replacing PUD does not signify an abandonment of the principles of the Mainstreet concept, but a realization that consideration should now be given to the establishment of specific land use criteria under more conventional type zoning to guide the development of the remaining vacant parcels in keeping with the policies of the Northwest Sector Concept Plan and the Mainstreet Design Guidelines. The parcels that have already been developed have existing agreements in place and would not need to be rezoned unless this is the desire of the property owners.

The question that still remains is what type of land use controls should be imposed on the undeveloped parcels. Under the new Act an existing or a new conventional zone could be established with or without applicable development standards. Contract zoning or a Direct Control District also could possibly be employed to regulate future development. Each of these land use control mechanisms will now be examined to determine which would be the most appropriate for Rochdale Boulevard.

5.0 Advantages and Disadvantages of Alternative Land Use Control Mechanisms

5.1 Direct Control Districts (DCD)

Under Section 77 of the Planning and Development Act, the City can be granted the power to designate a Direct Control District on any area within its boundaries where the development plans contain guidelines for the development of the area so designated. This mechanism allows Council to control the use and development of any or all lands and buildings when the district DCD's have provisions for development agreements similar to the PUD agreements which are currently used for projects on Rochdale Boulevard. One departure from the PUD process is that architectural details and facade treatments cannot be controlled as part of the development agreement between the City and the applicant as such powers are specifically excluded from the Act.

DCD's offer a greater degree of control over development than other current zoning mechanisms. However, they exhibit the same characteristics considered to be undesirable in the existing PUD process, namely the uncertainty concerning future development of vacant parcels of land. DCD's do not make any provisions for public input into the drafting of agreements, a similar concern expressed regarding the PUD process. It is also unclear whether a permitted use category can be established in a DCD to exempt non-controversial uses from the development agreement process. Further, the appeal provisions for DCD's leave the Provincial Planning Appeals Board no

alternative but to determine and approve the details of the plans and drawings and the provisions of any development agreement. While the City is given greater powers on the one hand to control development, such powers are potentially taken away on the other by the appeal provisions.

It would appear that the DCD mechanism has serious drawbacks in relationship to the concerns associated with Rochdale Boulevard development. As a result it is the opinion of the Planning Department that this land use control option not be pursued.

5.2 Contract Zoning

Section 82 of the Act contains provisions for the establishment of contract zoning where the City has guidelines in the Development Plan for the entering into of agreements. Under contract zoning a site is zoned for a particular type of development specified in the agreement between the applicant and the City. The items covered in the agreement, such as use, landscaping, time limitations for development, site layout and external design (but excluding architectural details and facade treatment) closely resemble the process which would be followed in a Direct Control District. In contrast to the latter mechanism, control is limited to a specific site instead of on an area basis. Other differences are that public input is provided for in the advertising of the zoning amendment and the lack of an appeal procedure in the contract zoning process.

The main difficulty with applying contract zoning to Rochdale Boulevard on a general basis is that it would not reduce to any degree the existing uncertainty under PUD concerning the type of development which will eventually

occur on the street. Each proposal would have to be considered on its own merits on a site-by-site basis as is currently the practise under the PUD procedure. Given the limitations of contract zoning, it would not appear to be an appropriate general land use control mechanism to replace the existing PUD zone. However, an option would always be available to consider a contract zone for a specific development which may be a desirable use, but which lies outside the range of permitted uses which are eventually adopted for Rochdale Boulevard.

5.3 Conventional Zoning

If the objective is to achieve greater certainty over the type of land use which could be developed on the remaining vacant lands on Rochdale Boulevard, it will be necessary to establish some form of conventional zoning with a specific list of permitted and discretionary uses on these lands. However, conventional zoning with its set height, bulk, and use regulations does not, offer the same degree of flexibility in determining the form of development that is characteristic of PUD, DCDs, or contract zoning. Yet a high standard of site design has already been established on the street which new development proposals can be reasonably expected to follow. Sufficient development has occurred so that the general land use intentions are known in a manner that can be reasonably categorized in a conventional zoning district in keeping with the spirit and intent of the Northwest Sector Concept Plan and the Mainstreet Design Guidelines. Those uses which may require additional scrutiny prior to approval (or denial) can be placed in the discretionary use category to ensure public input and Council involvement in the approval process.

The new Act also allows the establishment of regulations for permitted and discretionary uses which must be adhered to prior to the issuance of any development or building permits. In addition to the normal height, bulk, setback and sign restrictions, the Act specifies that the form of development, outdoor storage, landscaping, density of population, and exterior lighting can be controlled by these regulations. As a result, it would appear to be feasible to establish appropriate regulations based on the landscaping and site design policies of the Mainstreet Design Guidelines for a conventional zoning district. These regulations would ensure that future land use proposals comply as much as possible with the existing standard of development found along the street even though such matters would no longer be controlled under conventional zoning by a development agreement process. In addition, specific development standards may be prescribed for discretionary uses based on the general development standards set out in the zoning bylaw. Development standards should be distinguished from the regulations described above in that the standards would be employed as guidelines to assist Council in determining the conditions of approval considered to be appropriate for a particular discretionary use application.

Given that conventional zoning would be feasible for Rochdale Boulevard the next issue that requires examination is whether an existing (or proposed) conventional zone such as LC1 - Local Commercial, or MAC - Major Arterial Commercial would be appropriate for the area. Presently the uses on the LC1, R6, and I zones are being employed as interim guidelines for any developments proposed during the study period. However, these zoning classifications do not address the unique land use character and site design considerations which have typified Rochdale Boulevard development.

For example, the LC1 zone is specifically designed to serve local neighbourhoods and is restricted to minor arterial and collector streets. As noted earlier in this paper, Rochdale Boulevard was designed to serve not only one or two neighbourhoods, but the entire Northwest Sector. Thus, the range of potentially acceptable uses could and perhaps should be somewhat wider than those of the LC1 zone (Appendix 1). At the same time, the range of uses should be more restrictive than those found on a MAC zone on a major arterial roadway such as Albert Street. The new zone could also include the higher density residential uses found in the R6 zone (Appendix 2) and specific uses such as churches, libraries, and community centres found in the Institutional zone.

Thus the new zoning classification would become a mixed-use zone containing a specified group of higher density residential, commercial and institutional uses to serve the needs of the residents of the Northwest Sector. In addition to the existing discretionary uses in the LC1 and R6 zones, the following uses would be added to the proposed MS - Mainstreet zone.

(a) Retail stores of more than 300m^2 in gross floor area

(b) Car washes

(c) Pool halls

(d) Bowling alleys

(e) Enclosed hockey, ice skating, or roller rinks

(f) Home improvement centres

The above uses already exist on the street, existing in the past, or would appear to be appropriate to serve the northwest sector. As noted above, the new zone would also include special regulations applying to both permitted and

discretionary uses as well as development standards that are consistent with the general development standards set out in the Zoning Bylaw. In establishing the permitted and discretionary use categories for the proposed zone, the concerns of the community association and the property owners on Rochdale were taken into account. Before proceeding with a discussion of the proposed zoning criteria, these concerns are examined in regard to their relationship with the proposed zoning on Rochdale Boulevard.

6.0 DISCUSSIONS WITH PROPERTY OWNERS AND THE SHERWOOD ESTATES - MCCARTHY PARK COMMUNITY ASSOCIATION

Separate meetings were held with the property owners along Rochdale Boulevard and the community association executive for the area. The purpose of the meetings was to determine the needs and interests of both groups with respect to the future development of the street.

6.1 Meeting with the Community Association

The major concern of the community association executive was the approval of the car wash at the southeast corner of Rochdale Boulevard and Arnason Street and how they could participate in the appeal of Council's approval to the Provincial Planning Appeals Board. The community association felt that the particular location of the car wash proposal would create potential traffic problems for children attempting to reach the elementary school a block south of the pipeline r-o-w. A location adjacent to or part of the Sherwood Village Mall site would have been preferred where the environmental impacts (i.e. traffic) of the car wash could have been minimized.

With regard to other vacant parcels, some infilling of commercial development on vacant land immediately adjacent to the mall was considered to be acceptable, although concern was expressed regarding the proliferation of convenience store and gas bar type uses. For the remaining parcels, detached dwellings were the first preference although the community association conceded that multiple housing and church uses would also be appropriate considering the nature of Rochdale Boulevard.

6.2 Meeting with the Property Owners

The general concensus of the property owners was that if it was deemed necessary to replace the existing Planned Unit Development designation with more conventional zoning, then the MAC - Major Arterial Commercial Zone was preferred since it had a wide range of permitted commercial uses. If a new conventional zone was to be established, then the owners were of the opinion that most commercial uses, especially convenience stores and gas bars, should be in the permitted category in order to avoid having to go through the discretionary use procedure each time a commercial project was proposed for development.

With the exception of the rear parking requirement, there were no concerns expressed regarding the establishment of development standards based on the policies of the Mainstreet Design Guidelines under a new conventional zone. The property owners felt that the requirement for parking in the rear and the buildings along the street frontage should be dropped since it created marketing and site design difficulties for some commercial uses.

6.3 Analysis of the Community Association/Property Owners Concerns

The car wash example outlined in the community association's concerns emphasizes the necessity of placing certain types of uses considered to have potential negative environmental impacts, depending on their location in a neighbourhood, in the discretionary use category. While it would simplify the

approval process to have most uses on the permitted category, as desired by the property owners, under conventional zoning the discretionary use process provides the only means by which potentially controversial uses can be more carefully scrutinized, including community input, prior to approval (or denial) being given.

In evaluating a discretionary use, its environmental impact on adjacent residential areas should be the primary criterion employed to determine the appropriateness of a proposed developent at a particular location. Duplication of services should not be a major factor, since as stated in the Neighbourhood Commercial Study (p. 37):

1. Regulating competition is not a function of land use planning except at the macro level of the city (e.g. downtown vs suburban commercial development), where it is considered to be in the public interest to provide direction.

2. Evaluations of neighbourhood commercial applications should examine likely traffic generation and other environmental impacts of the proposed use including any incremental additions to existing environmental problems.

Based on these findings, it is not the intention to use the duplication of services as a regulatory criteria under the proposed MS zone.

The policy requiring off-street parking to be located in the rear yard has been controversial since the implementation of the Mainstreet Design Guidelines in 1980. Its purpose was to emphasize the pedestrian orientation of Rochdale Boulevard by reducing the walking distance between buildings along

the street, an objective which also supports transit usage. Projects such as Sherwood Village Mall were subsequently developed with most (but not all) of their parking at the rear, generally in keeping with the Guidelines. Recently a strip shopping centre under construction on the corner of Rochdale Boulevard and Devonshire Drive incorporated the parking area in the side and rear yards. However, another strip shopping centre across Devonshire Drive was withdrawn partly because the developer could not accept the rear parking policy.

Given that most projects have generally conformed to the rear parking requirement and that the creation of a pedestrian-oriented street environment is still a desired objective, then future development should continue to adhere to this requirement unless other appropriate measures are taken to address the needs of pedestrians and the visibility of the parking area from Rochdale Boulevard. Parking areas would only be considered in the front or side yard if it was screened along the Rochdale Boulevard frontage and at least a portion of the principal building on the site, including an entranceway is located with a minimum setback from the street. This provision could be best incorporated into the new zone as a development standard which Council may prescribe in the approval of a discretionary use application.

7.0 Recommendations

7.1. Proposed New Zoning District

It is proposed that the existing PUD - Planned Unit Development zoning for parcels fronting on Rochdale Boulevard be replaced by a new mixed-use zone to be known as the MS - Mainstreet Zone. The uses in the zone are subject to special regulations in keeping with the policies of the Mainstreet Design Guidelines. The zone is restricted to parcels located on Rochdale Boulevard or a flanking street.

7.2- MS - Mainstreet Zone

General Purpose of Zone

The purpose of this zone is to provide multiple housing, local shopping, and community facilities to serve the needs of the residents of the Northwest Sector.

7.3 - Permitted Uses

(a) Animal Hospitals

(b) Apartment Dwelling Units - Low Rise

(c) Approved Homes

(d) Art Galleries

(e) Bakery Shops

(f) Banks and other Financial Institutions

(g) Boarding Care Homes

(h) Churches

(i) Confectionary Stores

(j) Day Care Centres subject to the provisions of Section 9.3

(k) Fire Stations

(l) Fourplex Dwelling Units

(m) Group Homes Type (1) (Residential Care Homes)

(n) Home Occupations subject to the provisions of Section 9.2

(o) Libraries

(p) Medical or Dental Clinics

(q) Offices of less than 500m^2 in gross floor area

(r) Personal Service Establishments of less than 200m^2 in gross floor area

(s) Police Stations

(t) Post Offices

(u) Private Clubs

(v) Repair Shops of less than 200m^2 in gross floor area

(w) Restaurants with a maximum seating capacity of 100 persons

(x) Retail Stores of less than 850m^2 in gross floor area

(y) Senior Citizen's Homes

(z) Townhouse Dwelling Units

7.4 Discretionary Uses

(a) Bowling Alleys

(b) Car Washes

(c) Child and Adult Care Homes subject to the provisions of Section 2.8.4

(d) Cocktail Rooms

(e) Commercial Clubs

(f) Community Centres

(g) Convenience Stores

(h) Dwelling Units in the same building as a permitted or discretionary use in this zone

(i) Enclosed hockey, ice skating or roller rinks

(j) Fast Food Outlets

(k) Gas Bars

(l) Grocery Stores

(m) Group Homes - Group 2 (Crisis Care Facilities)

(n) Home improvement centres

(o) Licensed Restaurants/Dining Rooms and/or unlicensed restaurants with greater than 100 seating capacity

(p) Liquor Stores

(q) Nursery Schools - Type 1

(r) Offices of more than $500m^2$ in gross floor area

(s) Planned Group of Dwelling Units

(t) Pool Halls

(u) Private Clubs (licensed)

(v) Radio, television or microwave towers subject to the provisions of Section 10.1

(w) Retail stores more than $850m^2$ in gross floor area

(x) Service Stations

(y) Shopping Centres containing uses permitted or discretionary in this zone

(z) Bingo Halls

7.5 Regulations

1. Zoning Regulations

Minimum Lot Area	$250m^2$
Minimum Lot Frontage	6m
Maximum Site Coverage	65%
Maximum F.A.R.	1.0
Minimum Front yard setback of Buildings	0m
Single sideyard	0m
Total sideyards	0m
Minimum rear yard setback	3m* (Sections 7.5.5b)
Maximum height	15m
Minimum Residential Net Density	40 units per hectare

2. Parking Standards

(a) Minimum - Parking Requirements - see Section 8.3A of the Zoning Bylaw

(b) A minimum of 1 handicapped space per 50 required spaces must be provided as close as possible to the building entrance

(c) Parking lots are to be landscaped as per the provisions to be outlined in the Zoning Bylaw.

(d) Bicycle parking facilities including provisions for storage and locking of bicycles, shall be provided close to and highly visible from the building entrance at the rate of 10% of the required automobile parking.

3. Loading/Unloading Standards

a) Loading/unloading access are to be screened through the use of opaque

fencing (minimum height 2 metres) or landscaping, or be incorporated into the building. Rear or side entrances to structures must be provided from loading/unloading areas.

b) Minimum loading/unloading standards are as per Section 8.4 of the Zoning Bylaw.

4. Outdoor Storage

No outdoor storage of any kind will be permitted in this zone.

5. Landscaping Standards

a) Where an MS zoned lot containing a multiple dwelling residential use abuts (includes frontage, flankage, and rear lot line) onto a detached dwelling use residential a minimum 3 metre landscaped buffer and screen, which may include the City boulevard adjacent to the site, shall be provided and maintained along the interfacing property line by the property owner. Where an MS zoned lot contains a non-residential use that abuts a detached dwelling residential use, the buffer and screen shall be 4.6 metres.

b) The Parks Department will be providing a set of landscaping standards for developments along Rochdale Boulevard.

6. Signage

Signage will be controlled by Section 11 of the Zoning Bylaw. The MS zone shall be included in the LC - Local Commercial category with the exception that the maximum height of signs shall be 8.5 metres.

7. Eating or Drinking Establishments

No portion of a licensed eating or drinking establishment may be located outside of a building.

7.6 Development Standards

In approving a discretionary use in the MS zone, Council may prescribe specific development standards with respect to that use which are based on and consistent with the general development standards set out in Section 3.7 of the Zoning Bylawand the following general development standards.

(a) In order to protect the integrity of peripheral landscaping vehicular access and egress provisions should be incorporated in distances of no less than 50 metres apart.

(b) In order to minimize the visual impact of parking lots, the following standards should be incorporated into the parking lot design:

(i) Maximum number of spaces in a continuous row without a landscape or other type of physical separation - 15.

(ii) Maximum parking cluster - 60 spaces (A cluster is a single grouping of parking stalls without any physical barriers such as landscaped islands, between the clusters).

(iii) In keeping with existing development along the street, parking areas should be located in the rear yard of sites fronting on Rochdale Boulevard. Parking may be located in the front or side yard if it is appropriately screened from Rochdale Boulevard by fencing, landscaping or a combination of both and if a portion of the principal building, including at least one entranceway is located on the site with a minimum setback from Rochdale Boulevard.

(d) The residential components should be sited to maximize the warming effects of the sun in winter.

(e) Walkways should be provided to serve as access routes from parking lots to Rochdale Boulevard at intervals no greater than 400 metres apart.

(i) Walkways should be independently lighted to make them safe for use in the evening.

(ii) Walkways should be a minimum of 1.2 metres in width.

(f) Potentially hazardous places such as abrupt changes in grade, stairs, or ramps should be well lit.

(g) Outdoor spaces, which are plazas, public squares, various enclosed or semi-enclosed areas or other spaces serving as connectors and unifiers for areas along and around Rochdale Boulevard are encouraged to attract pedestrian usage on the street.

(i) The maximum elevation or depression should not be more than 1.5 metres from street level.

(ii) A maximum of 50% of the area may be occupied by street furniture, benches, fountains, clock towers or other architectural features.

(iii) A minimum of 25% of the surface should have the potential for sun exposure year round. Seating should be located in sheltered sunny areas with activity outlook and pleasant views.

(iv) The delineation of outdoor spaces should be designed to mitigate against negative climactic effects and enhance the positive ones.

(h) Gas bars and car washes facing Rochdale Boulevard should be screened by a linear landscape. Such uses should be located on corner lots to increase their accessibility for vehicular traffic.

APPENDIX 1

LC1 - Local Commercial 1

Purpose of the Zone

A commercial zone providing service to local neighbourhoods. This zone is applicable to locations on arterial and collector streets and situated in such a way as to minimize the environmental impacts of those businesses on adjacent residential areas.

Local Commercial 1 (LC1) Permitted Uses

1. Confectionery store (with or without accessory fast food outlets)
2. Personal Service establishments (less than 200M^2 gross floor area)
3. Repair shops (less than 200M^2 floor area)
4. Banks & financial institutions
5. Retail stores (less than 300M^2 floor area)
6. Offices less than 200M^2 floor area
7. Bakery shops
8. Libraries
9. Churches
10. Private club
11. Medical or dental clinic
12. Day care centre
13. Animal hospital

Local Commercial 1(LC1) Discretionary Uses

1. Community centres
2. Shopping centres containing uses permitted or discretionary in this zone
3. licensed restaurants /dining rooms with maximum seating of 100 persons
4. Radio, T.V. and microwave towers
5. Dwelling units in the same building as a permitted or discretionary use in this zone
6. Grocery Stores
7. Provincial liquor stores
8. Private club (licensed)
9. Commercial Club
10. Cocktail rooms
11. Fast Food Outlet
12. Offices greater than 200M^2 gross floor area
13. Convenience stores
14. Service station (with up to 3 service bays)
15. Gas bars
16. Restaurants with a maximum seating capacity of 100 persons

APPENDIX 2

4.9 R6: RESIDENTIAL SUBURBAN MULTIPLE HOUSING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate the locations and standards for apartment buildings, townhouse and fourplex dwellings. The varying density designations will determine the intensity of residential development.

4.9.1 PERMITTED USES

The following are permitted uses in R6 Zones:

a) Apartment Dwelling Units - Low Rise
b) Approved Homes
c) Boarding Care Homes
d) Fourplex Dwelling Units
e) Group Homes - Type 1 (Residential Care Homes)
f) Home Occupations subject to the provisions of Section 9.2
g) Townhouse Dwelling Units

4.9.2 DISCRETIONARY USES

The following are discretionary uses in R6 Zones:

a) Adult Care Homes
b) Apartment Dwelling Units
c) Churches
d) Confectionary Stores and dwelling units in the same building subject to the provisions of Section 9.8
e) Day Care Centres subject to the provisions of Section 9.3
f) Detached Dwelling Units
g) Duplex Dwelling Units
h) Group Homes - Type 2 (Crisis Care Facilities)
i) Nursery Schools - Type 1
j) Planned Group of Dwelling Units subject to the provisions of Section 9.5
k) Radio, Television or Microwave Towers subject to the provisions of Section 10.1
l) Semi-detached Dwelling Units
m) Senior Citizens' Homes

4.9.3 REGULATIONS

1. The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are as shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2. The maximum building height in the R6 Zone shall be 20 metres unless otherwise specified on the Zoning Maps.